



Certificate of Mailing/Transmission (37 C.F.R. § 1.8(a)):

Pursuant to 37 C.F.R. § 1.8, I hereby certify that this paper and all enclosures are being deposited with the United States Postal Service as first class mail on the date indicated below in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

Dated: July 23, 2001

Name of Person Certifying: Jocelyn L. Lee

Printed Name: Jocelyn L. Lee

#3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Charles A. Nicolette

Assignee: Genzyme Corporation

Filing Date: March 19, 2001

Examiner: Not Yet Assigned

Serial No.: 09/812,238

Group Art Unit: 1614

Title: Therapeutic Anti-Melanoma Compounds

BOX MISSING PARTS

Assistant Commissioner for Patents  
Washington, D.C. 20231

07/30/2001 NBERHE 00000089 501189 09812238

01 FC:101	710.00 CH
02 FC:105	130.00 CH
03 FC:103	1368.00 CH
04 FC:102	1680.00 CH
05 FC:104	270.00 CH

Submission of Missing Parts of Application Under 37 C.F.R. 1.53

Adjustment date: 07/02/2002 Y61ZAW  
07/30/2001 NBERHE 00000089 501189 09812238  
03 FC:103 1368.00 CR  
04 FC:102 1680.00 CR

Sir:

In response to the Notice of Missing Parts of Application mailed on May 23, 2001, enclosed are the following items for filing in the above-referenced U.S. Patent Application:

- ☒ Declaration and Patent Application [2 pages - originally executed]  
Payment for surcharge for late filing ☐ \$65.00 *small entity* ☒ \$130.00 *large entity*
- ☒ Power of Attorney By Assignee and Exclusion of Invenventor Under 37 C.F.R. § 3.71 with assignment copy and Certificate Under 37 C.F.R. §3.73(b) [4 pages – originally executed]
- ☒ Copy of Notice of Missing Parts of Application dated May 23, 2001.
- ☒ Statement Regarding Sequence Listing Under 37 C.F.R. §1.821-1.825 [1 page]
- ☒ Initial computer readable form (CRF) copy of the "Sequence Listing" in Compliance with 37 C.F.R. § 1.821-1.825 [1 – 3 1/2 Floppy disk]
- ☒ Return Postcard.

TOTAL FEES: \$ 130.00

- ☒ Conditional Petition for Extension of Time: An extension of time is requested to provide for timely filing if an extension of time is still required after all papers filed with this communication have been considered.

☒ Please charge the above fee(s) to Deposit Account No. 50-1189, Docket No. 126881209400, in the amount of \$4,158.00 to cover the fees (\$710.00 basic filing fee, \$3,318.00 for claim fees, and \$130.00 for declaration surcharge). A duplicate copy of this sheet is attached.

☒ The Commissioner is hereby authorized to charge payment of any additional fees due or credit any overpayment to Deposit Account No. 50-1189, Docket No. 126881209400. A duplicate copy of this sheet is enclosed.

Having now complied with all of the requirements of 37 C.F.R. 1.53, applicant respectfully requests that this application be placed upon the files for examination.

Date: July 23, 2001

Respectfully submitted,

By:   
Antoinette F. Konski  
Registration No. 34,202

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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/812,238	03/19/2001	Charles A. Nicolette	126881209400

CONFIRMATION NO. 9444

## FORMALITIES LETTER



\*OC000000006109195\*

Antoinette F. Konski  
Baker & McKenzie  
660 Hansen Way  
Palo Alto, CA 94304

Date Mailed: 05/23/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$3318.
  - \$1368 for 76 total claims over 20.
  - \$1680 for 21 independent claims over 3.
  - \$270 for multiple dependent claim surcharge.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 4158.
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and,

where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

The following item(s) appear to have been **omitted** from the application:

- Page(s) **34** of the specification (description and claims).

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h)) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

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*A copy of this notice **MUST** be returned with the reply.*

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Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE